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**Serial No. 10/656872
60,130-1720
03MRA0168**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	David K. Platner	Group Art Unit:	3683
Serial No.:	10/656,872	Examiner:	Williams, Thomas J.
Filed:	9/5/2003		
Title:	COMPOSITE LEAF SPRING HAVING AN ARCUATE ATTACHMENT ARRANGEMENT FOR VEHICLE MOUNTING		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Pursuant to a telephone conference with the Examiner, attached for filing is a replacement terminal disclaimer for the above-referenced application. Applicant was advised that the terminal disclaimer filed on July 14, 2005 contained an error and was not accepted.

Applicant believes that no additional fees are required as the \$130 filing fee was charged to Deposit Account No. 50-1482 on July 15, 2005. Should any fees or extensions be required, the Commissioner is authorized to charge Deposit Account No. 50-1482.

Respectfully Submitted,
CARLSON, GASKEY & OLDS, P.C.

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Dated: August 3, 2005

Serial No. 10/656872
60,130-1720
03MRA0168

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, (571) 273-8300 on August 3, 2005.


Beth A Beard

AUG 03 2005

PTO/SB/25 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TERMINAL DISCLAIMER TO OBIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)

60130-1720;03MRA0168

In re Application of: David K. Platner

Application No.: 10/656,872

Filed: September 5, 2003

For: Composite Leaf Spring Having an Arcuate Attachment Arrangement for Vehicle Mounting

The owner, ArvinMeritor Technology LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/656841, filed on September 5, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent; granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 46,350



3 August 2005

Date

David L. Wisz

Typed or printed name

248-988-8360

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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